



**THE VOICE FOR PROFESSIONAL
EDUCATORS AND STUDENTS**

Intermediate District 287 Local 2209

**Constitution
By-Laws &
Policy
Statements**

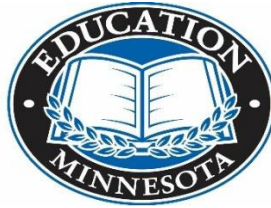
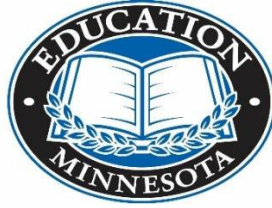


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Constitution of Education Minnesota – Intermediate District 287 Local 2209

~~(Amended and Approved on December 7, 2005)~~

Preamble

We, the members of the Education Minnesota – Intermediate District 287 Local 2209, in order to provide for mutual assistance and cooperation, to ensure professional compensation and improve working conditions and to secure due process and collective recognition to ourselves and our profession do unite under this Constitution.

Furthermore, we, the member of the Intermediate School District 287 Local 2209, Education Minnesota, National Education Association, and American Federation of Teacher believing that the active participation of non-supervisory licensed education personnel, education assistants and school related personnel in the development of educational policy is essential for sound education in a democratic society, have joined together, as herein defined in this Constitution and By-Laws, for the purpose of exerting a collective and positive influence on education the Intermediate School District 287.

Intermediate District 287 Local 2209 shall provide a united voice for public education, leadership in education innovation, dedication to Minnesota students and families, and an unwavering commitment to the welfare of our members.

Intermediate District 287 Local 2209 shall be a local organization that provides unstinting professional service to its members by building and maintaining a strong, effective local and by promoting instructional advocacy. Intermediate District 287 Local 2009 shall be committed to democracy in the workplace and within the organization.

No provisions of this constitution and bylaws shall conflict or violate the constitution or bylaws of Education Minnesota.

Effective as last amended December 7, 2005.

Mission

In order to preserve and promote professional expertise, it is the mission of Local 2209 to provide fair and equal representation to all members, through mutual cooperation and commitment to the union process.

Article I: Name

Section 1. This organization shall be known as Education Minnesota – Intermediate District 287 Local 2209 and shall encompass all areas covered and administered by Intermediate School District 287.

Article II: Affiliations

Section 1. This organization shall affiliate with Education Minnesota, the American Federation of Teachers, the National Education Association, the AFL-CIO, the appropriate AFL-CIO central labor assembly, and any other such organization the membership may deem advisable.

Article III: Membership

Section 1. This organization shall consist of any person employed by the Board in a position requiring certification by the State Board of Teaching or by the District, or any person employed by the Board in the following positions: Education Assistants, Interpreters, Parent Child Specialists, Behavior Interventionists, Student Safety Coaches, and Tier 1 Licensed ~~associate teachers, vocational trainers, job coaches, social workers, tutors, teacher aides or educational assistants (paraprofessionals), media professionals, certified food service personnel, assessment technicians, counselors, interpreters, case managers, and related service professionals including but not limited to occupational therapists, physical therapists, audiologists, psychologists, communication disorders specialists, nurses, and all part-time employees in the above categories.~~

Article IV: Rights of Members

Section 1. No member shall be restricted or hampered in the expression of free speech and personal views.

Section 2. This union shall not make any distinction in regard to sex, race, color, national origin or political, social or religious activities or beliefs.

Article V: Member Discipline

Section 1. Disciplinary action, in the form of censure, suspension or permanent expulsion, shall not be taken against any member except for cause. Cause shall relate to conduct prejudicial to the purposes of the local which may include one or more of the following:

1. Failure to remain a member in good standing with Education Minnesota, National Education Association and American Federation of Teachers.
2. Substantial violation of the Code of Ethics of the Board of Teaching or other licensing agency.
3. Violation of a local policy in crisis situations affecting the entire district.
4. Other good and sufficient cause whereby the conduct of the member would be prejudicial to

the purposes of the local._____

Section 2. Such action shall be initiated by a complaint of a majority of the officers of the local, with written notice to the member of the proposed action to be taken and the reason thereof. Such notice shall also include the statement that the member has ten (10) calendar days in which to request a hearing before the local executive board, or a special local discipline committee, at which the member is entitled to a representative of his/her choice to answer the charges and examine those making them.

Section 3. The hearing will be private or public at the choice of the member being disciplined, and the decision, by a simple majority, shall be communicated, in writing, to the member, accompanied by a memorandum of findings of fact, within ten (10) days of the close of the hearing. A tie vote shall indicate no action will be taken.

Section 4. Any member censured, suspended, or expelled under these provisions shall have the right of appeal to the full membership or representative assembly, if applicable, within ten (10) days of receipt of the decision. The appeal hearing shall be presided over by the local president who shall grant a procedure which includes witnesses and right of cross-examination. A quorum shall be present. The decision shall be made by secret ballot with a simple majority of the membership present and voting. In the case of a tie, with the president voting, no action shall be taken.

Section 5. Action to expel or suspend shall be communicated to Education Minnesota.

Section 6. A member who is expelled or suspended from membership in the local shall have the right of appeal to the Education Minnesota Governing Board in accordance with such policies and procedures as the Board may adopt.

Section 7. Appeal to the American Federation of Teachers and National Education Association shall be governed by the policies and procedures adopted by AFT and NEA.

Section 8. Lawsuits. No person shall initiate a civil action suit or proceeding in any court against the local or any of its officers, members, or employees on account of any discipline unless such person has exhausted the remedies of hearing and appeal as provided in this Constitution.

Article VI: Dues

Section 1. Every member of this Union shall pay into its treasury annual dues as provided in this Constitution and By-Laws.

Section 2r. No net earning shall inure to the benefit of any member.

Article VII: Fiscal, Election, Membership Year and Vacancies

Section 1. The fiscal and membership year shall begin ~~September~~ October 1 and end August 31. The election year shall begin July 1 and June 30.

Section 2. All elections shall be governed by applicable state and federal laws.

1. Each member must receive at least 15 days' notice of the procedures and deadlines to file as a candidate for the election and the date, time and place of the election.
2. Every member must have a fair and equal opportunity to participate in the election without unreasonable impediments.
3. Voting must be by secret ballot.
4. In a contested election, candidates must be allowed to station observers at the polling places.
5. Representatives of the competing candidates should be allowed to observe, but not actually participate in, the counting of ballots.
6. The used, unused and challenged ballots; the envelopes used to return ballots; and other documents related to the election should be safely stored for one year in case there is a challenge to the election.
7. No union funds may be used to support any candidate.
8. The union should comply with reasonable requests to distribute campaign literature at the candidate's expense.
9. Candidates have the right to inspect the membership list once within 30 days prior to the election. No candidate can have preferential access to the list.
10. There shall be an open nomination process for all elections.
11. Vacancies in Executive Council positions shall be filled as outlines in the By-Laws.

Article VIII: Meetings

Section 1. The Union shall hold at least four (4) general membership meetings in the defined year.

Section 2. Five (5) working days' advance notice to the membership by official notice shall be required before any general membership meetings.

Section 3. Special membership meetings may be called by the President with an official notice 24 hours in advance. This notice shall state the meeting time, place and proposed "special" agenda.

Section 4. To attend any general or special membership meeting union members shall be members in good standing.

Article IX: Conduct of Business

Section 1. All business of this Union shall be conducted according to ROBERTS RULES OF ORDER, Revised Edition, except where superseded by the Constitution of By-Laws of this Union.

Article X: Elected Officers and Executive Council

Any candidate for elected office shall be an active member of this Local and Education Minnesota.

Section 1. The elected officers, in order of rank, shall consist of a President, Vice President, Treasurer, Membership Secretary and two (2) Executive Officers, A and B. All Officers shall be nominated and elected at large.

Section 2. The above stated elected officers shall constitute the Executive Council of Local 2209.

Section 3. The terms of office shall be as follows: The President, Membership Secretary and Executive Officer A shall be elected for a two-year term in even numbered years. The Vice President, Treasurer and Executive Officer B shall be elected for a two-year term in odd numbered years.

Section 4. Any member of the Executive Council may run for re-election.

Section 5. The Communications Coordinator(s), the Legislative and Political Action (LAPA) Coordinator and the Negotiations Chair shall be ex-officio members of the Executive Council. These positions will be appointed as specified in the By-Laws.

Section 6. The immediate Past President shall serve for one (1) year as an ex-officio member of the Executive Council. The decision to serve shall be at the discretion of the immediate Past President.

Article XI: Recall

Section 1. Any elected officer, delegate or anyone holding an appointed Union position shall be subject to recall for any infringement of the provisions of this Constitution and/or By-Laws.

Section 2. A recall vote can be called for by a majority vote of the Executive Council or by referendum.

Section 3. The statement of charges, rebuttal of the statement of charges and the vote of the issue shall take place at a general membership meeting.

Article XII: Strike Vote

Section 1. The membership at any general membership or special meeting by majority vote, may authorize the taking of a strike vote.

Section 2. A strike vote shall be by secret ballot only according to the general election guidelines.

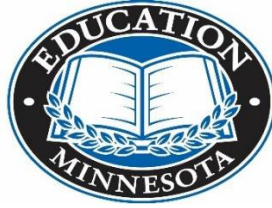
Section 3. A strike vote will be held at a single location determined by the Executive Council.

Section 4. A strike will be authorized by two-thirds (2/3) majority of members voting.

Section 5. During a strike or in the event of an emergency, the Executive Council shall have the authority to establish alternative timelines for notification and balloting.

Article XIII: Amendments

Section 1. The Constitution may be amended or revised by a two-thirds (2/3) majority vote of the membership present at a general membership meeting, provided that the content thereof, in full, shall have been first presented and read at the preceding general membership meeting. The amendment must be published and made available to all members following the initial reading.



Education Minnesota – Intermediate District 287 Local 2209

By-Laws (Amended and Approved on December 7, 2005)

Chapter I: Membership and Dues

Part 1. An individual who has never been a member of Local 2209 or a member who has left the employment of District 287 and then returned will qualify for “new” member status. A new member may join Local 2209 at any time. The dues to be assessed shall be assessed each pay period commencing with first pay period in October of the membership year, or the first pay period after the date of membership, whichever is later.

Part 2. New membership in good standing is obtained by acceptance of dues check-off for the current annual dues adjusted from membership date.

Part 3. Dues shall be withheld each pay period from the first pay period in October through the first pay period in June, for a total of 17 pay periods. Membership and withholding of dues shall be continuous in all subsequent years until one of the following conditions is met: termination of employment from District 287 or written notification of withdrawal from the Local during the drop window **during the month on September**, as defined on the dues checkoff or promotion to a position outside the Local.

Part 4. Executive Council may make adjustment or rebates of Local dues, pledges or special assessments. In no event shall adjustment be made for any time other than the current fiscal year.

Part 5. The annual Local dues shall be approved by the membership and based on the budget report submitted by the Treasurer. Such action shall be final, except that the Executive Council may make special assessments. All Affiliate dues, as identified in Article II, Section 1 of this Constitution, shall be passed through and shall not require membership approval.

Part 6. All financial records of Local 2209 shall be audited by an appointed auditor per Education Minnesota requirements.

Chapter II: Official Publication

Part 1. An official publication shall be defined as any special notice from the acting President or the Local 2209 newsletter. The Local 2209 newsletter shall be published **or made digitally available** at the discretion of the Communications Coordinator but not less than three times yearly.

Chapter III: Nominations

Part 1. Nominations for Executive Council shall be held at the February General Membership Meeting with the election to be conducted in April. The newly-elected officers shall assume the responsibility of office on July 1. Newly elected officers may attend Executive Council and Meet and Confer meetings during the transition period.

Part 2. Any candidate for any elective office or post must be a member in good standing.

Part 3. Nominations for Executive Council positions shall be closed at the February Membership Meeting by report from the Search Committee or from the floor by members in good standing.

Part 4. Consent to candidacy must have been secured in writing and given to Search Committee chairperson previous to the nomination or must be given verbally by the person nominated at the time of nomination.

Chapter VI: Meetings

Part 1. The members present at any Local meeting, held in accordance with procedures for calling the meeting, shall constitute a quorum.

Part 2. The Executive Council shall be responsible for establishing its calendar and the notification procedures for special Executive Council meetings. All Executive Council meetings shall be open to all local members except grievance and disciplinary sessions.

Part 3. The meeting calendar shall be distributed to members in September of each school year.

Chapter V: Duties of Officers

Part 1. President: It shall be the duty of the President to preside at membership meetings, to appoint all committee chairpersons unless otherwise provided, to serve as chairperson of the Executive Council, to be automatically a delegate to other affiliated bodies, to be a member ex-officio on all committees and delegations except the Nominating and Audit Committees, to perform duties set forth in this Constitution and By-Laws, to sign necessary papers and documents, to transact such other business as normally pertains to this office. The President shall be the ranking delegate to the AFT, NEA, and Education Minnesota Conventions without having to be on the delegate ballot. When necessary, the President shall be responsible for polling the Executive Council.

Part 2. Vice President: It shall be the duty of the Vice President to assume the responsibility and duties of the President in the event of the President's absence; to assist the President; to serve as chair of the district-wide Grievance Committee and Meet and Confer Committee; and to facilitate training of union leaders.

Part 3. Treasurer: The duties of the Treasurer are:

- a. Collecting all monies due the Local.
- b. Keeping a single set of accounting records.
- c. Issuing receipts in the name of the Local.
- d. Depositing all monies due the Local.
- e. Paying, by check only, all bills against the Local that are approved by the Executive Council.
- f. Signing all checks. All checks are to be countersigned by the President or designee of the Executive Council. In the event of the absence of the Treasurer, the President and one other designee may sign checks.
- g. Furnishing written monthly/annual financial statements to the Executive Council and membership at their meetings.
- h. Providing all needed information to the Audit Committee/Auditor.
- i. Preparing and presenting the annual budget.
- j. Preparing and filing the Lobbyist Disbursement Reports.
- k. Recommending Local member dues.
- l. Providing all needed information to the Tax Advisor for tax preparation.
- m. Initiate, coordinate and assist with the Local's annual financial audit, and file a copy of the audit report with Education Minnesota within six (6) months of the close of the fiscal year.

Part 4. Membership Secretary: The duties of the Membership Secretary are:

- a. Keeping permanent records of all meetings.
- b. Reading the general membership minutes and furnishing copies upon request by members.
- c. Keeping accurate attendance records for all General Membership meetings.
- d. Keeping updated membership lists.
- e. Contacting District regarding new hires and drops.
- f. Retaining ballots from all elections until succeeding election is held.

- g. Maintaining accurate computer records as needed.
- h. Maintaining the Local 2209 website.

Part 5. Executive Officers: The Executive Officers shall be responsible for the following as appointed by the President:

1. Duties of the Executive Officers: attend all Executive Council, Meet and Confer and General Membership Meetings; involvement with grievances; and, other duties as assigned. The elected Executive Officers shall also recruit, coordinate and develop site representatives and insure that the site representatives perform the following functions:
 - a. Welcome new staff.
 - b. Recruit new members.
 - c. Distribute union literature.
 - d. Maintain site/program seniority lists.
 - e. Attend four (4) regular membership and any special membership meetings, and disseminate information to members.
 - f. Arrange and host site/program membership meetings.
 - g. Serve as liaison between site members and Executive Council.
2. The failure of an elective officer to attend two (2) Executive Council or two (2) general membership meetings per fiscal year or failure to perform his or her constitutional duties shall make that officer vulnerable to recall.

Chapter VI: Delegates

Part 1. Delegates to the affiliated bodies shall be elected by the Executive Council. Lacking any member-delegates, the Executive Council shall be charged with delegate representation for the Local.

Part 2. Delegates and/or alternates to the American Federation of Teachers Convention, National Education Association Representative Assembly, **and** the Education Minnesota Representative Convention and AFL-CIO annual state convention must be elected by secret ballot at a general membership meeting. The notice of nomination of delegates and the notice of election of delegates will be combined in one notice. This notice announcing the election of delegates must be given to each member at least fifteen (15) days prior to the election. The results of the election must be published and the ballot kept for one year. Being a delegate within the meaning of this chapter does not disqualify a member for nomination and election to any elective office or for any appointment otherwise.

Chapter VII: Duties of the Executive Council

Part 1. The Executive Council, as defined in Article X, Section 2 of this Constitution shall:

- a. Execute the decisions of membership.
- b. Formulate policy.
- c. Act for the membership in the interim between the regular and/or special meetings.
- d. Authorize items of budget expenditures.
- e. Authorize pursuit of grievances to Level IV, arbitration, except as provided by the Grievance Appeal Committee (GAC).
 - 1) The GAC shall be appointed by the Executive Council when requested in writing by a grievant who has been denied pursuant to Local 2209 By-Laws Chapter VII, Part 1. e.
 - 2) The GAC shall hear the appeal of the member separate from the Executive Council.
 - 3) The decision of the GAC shall be based upon the criteria that 1) the case has merit, 2) the case is winnable and 3) the potential outcome of the case is in keeping with the collective goals of the union.
 - 4) The decision of the GAC shall be the final decision of the Local in matters related to pursuit of grievances at the Local level.
- f. Contract the necessary bonding and theft insurance for the Executive Council.
- g. Appoint the Communications Coordinator(s) and Legislative and Political Action (LAPA) Coordinator.
- h. Set up necessary special committees to function in the interest of the Local, to receive and review their reports and to discharge such committees upon completion of activity or function (such as the Grievance Appeal Committee).
- i. Constitute and authorize other standing committees.

Chapter VIII: Duties of Appointed Positions

Part 1. Duties of the Communications Coordinator shall include publishing content to the local website, local calendar and social media. The Communications Coordinator will communicate all essential communications to members via the District 287 email system.

Part 1a. Duties of the Webmaster shall include designing, developing, and maintaining the local website infrastructure, and collaborating with the Communications Coordinator in publishing content.

Part 2. Duties of the Parliamentarian may include: Assist the President in all General Membership meetings, the decision of the Parliamentarian shall be final unless an appeal by a member or by the President is sustained by a majority vote of the membership present.

Part 3. Duties of the Sergeant at Arms: The Sergeant at Arms may be present at all general membership meetings. The duties of the Sergeant at Arms may include checking admissions to the Local meetings. Under no circumstances shall he/she permit anyone to enter the meeting who is not a member in good standing, unless directed by the President. The Sergeant at Arms shall not allow anyone to enter the meeting during the reading of the minutes or the taking of a vote. The Sergeant at Arms shall assist the President in keeping order during Local meetings.

Part 4. Duties of the Legislative and Political Action Coordinator: Work in conjunction with Executive Council to formulate and execute the Local's legislative and community objectives.

Chapter IX: Standing Committees

Part 1. The Local shall have standing committees with such functions as herein described. Standing committees shall have continuous active status.

Part 2. The chairpersons of the standing committees shall be announced by the President in the union newsletter. No member shall be a chairperson of more than one standing committee nor shall the President be chairperson of a standing committee unless otherwise stated in the Constitution or By-Laws.

Part 3. The standing committees of the Local shall be:

- a. Meet and Confer – chaired by the Vice President and comprised of all Executive Council members
- b. Grievance – chaired by the Vice President and comprised of all Executive Council members
- c. Legislative – chaired by the Legislative and Political Action Coordinator

- d. Budget – chaired by the Treasurer
- e. Negotiating Selection
- f. Audit
- g. Search
- h. Election

Part 4. The duties of each standing committee shall be that which its name indicates. The Executive Council shall rule in matters of jurisdiction and implementation.

Chapter X: Negotiating Team

Part 1. The Executive Council will appoint a Negotiating Selection Committee (NSC). This committee will review the applications, interview the applicants, and make a recommendation of a four (4) member Negotiating Team to the general membership. The 2209 President shall choose the Negotiations Chair from among the applicants for a total of five (5) Negotiators. Negotiators must be members in good standing.

Part 2. The NSC will consist of seven (7) members in good standing – two (2) members plus the President from the Executive Council, four (4) members from the membership at large to include at least one representative from each of the following areas: paraprofessional, site-based and itinerant.

Part 3. Applications for the NSC will be submitted to the Executive Council. The Executive Council will determine the procedure for selecting and presenting the names of the NSC to the general membership. Unfilled positions on the NSC will be determined by the Executive Council. NSC members cannot be members of the Negotiating Team.

Part 4. The NSC shall be appointed until the selection process had been completed. The NSC appointments shall be announced at the April general membership meeting in even numbered years. Criteria and applications for the five (5) member Negotiating Team will be made available at the February meeting.

Part 5. The interviewing and selection of the slate of Negotiating Team members by the NSC, when completed, shall be presented to the first appropriate general membership meeting.

Part 6. Term of office: the Negotiating Team will be selected to serve a two (2) year term of office from July 1 to June 30, beginning on even numbered years.

Part 7. The Negotiating Team and the President may nominate one alternate to be approved by the Executive Council. In the event the alternate assumes the position of negotiator, the alternate will receive the pro-rated stipend of the previous negotiator.

Chapter XI: Executive Council Vacancies

The Executive Council shall fill any vacancies for elected positions which occur during the year. Vacancies in position(s), elected by the membership, shall be temporarily filled for the unexpired term by the Executive Council. The Executive Council shall determine the method until the next regular election cycle for the position(s) and the next regularly scheduled election is held.

Chapter XII: Referendum Vote

No later than fifteen (15) calendar days following the call for a referendum vote, a vote will be taken following the voting procedures listed in Chapter XIII of the By-Laws.

Chapter XIII: Voting Procedures for Election of Officers

Part 1. The President shall appoint the chairperson of the Elections Committee to supervise the elections of officers. The chairperson shall select a committee of two (2) judges and no judge shall be a candidate in the election for which they are a judge. This committee shall be responsible for the administration and implementation of procedures for voting by secret ballot in person.

Part 2. The Elections Committee shall be responsible for the preparation of all ballots based on information provided by the Nominating Committee (for elections of officers). Ballots shall be constructed in a manner to avoid biased representation of candidates.

Part 3. Procedures for absentee ballots (see Chapter XIV-Part 9b).

Part 4. Polling location(s) shall be a central neutral site to be determined by Executive Council.

Part 5. Polling hours shall be 3 P.M. to 6 P.M.

Part 6. The polling place shall be supervised at all times by two judges for the Election Committee.

Part 7. The judge shall issue a ballot after confirming that the voter is a member in good standing. The judge shall mark the list of eligible voters to indicate those members who have received a ballot for that election. The voter shall deposit his/her ballot in designated, locked ballot boxes.

Part 8. The chairperson of the Elections Committee shall secure all eligible voter lists and ascertain the grand total of voters. Any judge or watcher may observe this count or may request and scrutinize a recount.

Part 9. The chairperson shall unlock ballot boxes in the presence of election judges and shall apportion ballots for canvassing and counting by the judges.

Part 10. Judges shall exchange their counted ballots with other judges as designated by the chairperson for a second counting. Return sheets shall be presented without prior comparison to the

chairperson, who shall compare totals submitted and transfer such totals to his/her official ballot tally sheet in ink. The chairperson shall order ballots recounted by other judges should an existing discrepancy be of magnitude to affect an election. Should the discrepancy persist after a recheck of voting cards, the chairperson shall declare the election invalid and shall, with the advice of the Executive Council, proceed to set up another election.

Part 11. Defective ballots, in whole or in part, shall be passed on to the chairperson immediately without tallying. The committee members present shall sit in judgement on defective ballots after all other tallying, judging each ballot in whole or in part by majority decision.

Part 12. Watchers shall be permitted in the canvassing room, but only committee members may handle ballots or voter eligibility lists. The canvassing room and election materials shall never be unattended at any time; not less than one pair of judges shall be present during the entire proceedings.

Part 13. All ballots and voter eligibility lists shall be locked in one or more ballot boxes immediately upon completion of all election tallying and placed by the Election Committee chairperson in the custody of the Membership Secretary.

Part 14. Election contests. Any contestant of an election result must notify the Executive Council within 30 calendar days. The Executive Council, in its judicial capacity, with consultation of the Election Committee Chairperson and judges shall resolve the issues; its decision shall be final.

Part 15. Following the counting of all ballots, the Chairperson of the Elections Committee shall announce the results of the elections based on the official tally sheet, which shall be dated, signed and presented to the Membership Secretary for inclusion in Local records. The chairperson shall indicate the number of votes cast for every candidate for an office or post and shall declare the persons receiving the most votes for each office and post on a majority of plurality basis duly elected thereto. The President shall then charge all duly elected officers to begin service in accordance with the dates of the terms of that office as described in the Local Constitution and By-Laws.

Part 16. A nominee that runs uncontested shall be considered to have won that election by unanimous decision.

Part 17. In the event of a tie vote following the procedures contained in this Chapter, the decision of the Executive Council shall determine the outcome. The President shall convene the Executive Council within 5 calendar days, excluding weekends and holidays, for the specific purposes of conducting the selection by secret ballot. If a member of the Executive Council is one of the candidates in question, he/she may not vote.

Chapter XIV: Contract Ratification Process

Part 1. A. A written copy of the complete contract or a written copy of all proposed changes from the existing contract shall be made available to all members at the reading at a general membership or at a special general membership meeting. The reading of the proposed contract and/or changes will be made not less than three (3) calendar days prior to the date that the pending contract is to be voted on.

B. In the event that the reading and proposed vote of ratification could cause Education Minnesota to be in violation of state law (contract settlement date), the reading and vote may be taken at the same meeting in lieu of the three (3) day waiting period. In the event a strike is in progress, the date of the vote of ratification of the contract will be by a majority vote of the membership at the reading.

Part 2. All contract ratification votes will be by secret ballot.

Part 3. A simple majority shall be required for ratification of the proposed contract. A rejection of the contract is not authorization to begin strike proceedings.

Part 4. The President shall appoint the chairperson of the Elections Committee to supervise the voting for contract ratification. The chairperson shall select a committee of four (4) judges. This committee shall be responsible for the administration and implementation of procedures for voting by secret ballot in person.

Part 5. The Elections Committee shall be responsible for the preparation of all ballots based on information provided by the Negotiating Team.

Part 6. Polling location shall be at a central neutral site to be determined by Executive Council.

Part 7. Polling house shall be 3 PM to 8 PM.

Part 8. The polling place shall be supervised at all times by a minimum of two (2) judges from the Elections Committee.

Part 9. Voting for Contract Ratification shall be done only by one of the following methods:

a. Voting in Person

1. The judge shall issue a ballot after confirming that the voter is a member in good standing.
2. The judge shall mark the list of eligible voters to indicate those members who have received a ballot for that election/ratification.
3. The voter shall deposit the ballot in the designated, locked ballot box.

b. Absentee Ballot

1. The voter shall request, in writing, an absentee ballot no later than one (1) calendar day after the initial reading of the proposed contract and/or changes and no later than two (2) weeks after the close of nominations for officers.
2. The Election Chairperson shall provide each requester with an absentee ballot and shall mark the list of eligible voters to indicate those members who have received a

ballot.

3. Double Enveloping Method – A member requesting an absentee ballot will receive two (2) envelopes and a ballot from the Election Chairperson. The ballot will be placed in a smaller envelope and sealed. The smaller envelope will be placed in a larger envelope. The member must write his/her name on the outside of the larger envelope for check-off purposes.
4. The completed absentee ballot must be received by the Election Chairperson no later than two (2) hours before the opening of the polls on election/ratification day.
5. The absentee ballot will be securely stored by the Election Chairperson and will be placed in the ballot box on the voting day.

Part 10. The chairperson of the Elections Committee shall secure all eligible voters lists to ascertain the grand total of voters. Any judge may request a recount.

Part 11. The chairperson shall unlock the ballot box in the presence of election judges and shall apportion ballots for canvassing and counting by pairs of judges.

Part 12. Judges shall exchange their counted ballots with other judges as designated by the chairperson for a second counting. Return sheets shall be presented without prior comparison to the chairperson, who shall compare totals submitted and transfer such totals to his/her official ballot tally sheet in ink. The chairperson shall order ballots recounted, by the judges, should an existing discrepancy be of magnitude to affect a vote. Should a discrepancy of magnitude exist between the voter total and the total of votes cast, the chairperson shall order a recanvass and recount. Should the discrepancy persist after a recheck of voting cards, the chairperson shall declare the election invalid and shall, with the advice of the Executive Council, proceed to set up another vote.

Part 13. Defective ballots, in whole or in part, shall be passed to the chairperson immediately without tallying. The committee members present shall sit in judgement on defective ballots after all other tallying, judging each ballot in whole or in part by majority decision.

Part 14. Watchers shall be permitted in the canvassing room, but only committee members may handle ballots or voter eligibility list. The canvassing room and election materials shall never be unattended at any time; not less than one pair of judges ~~and/or the~~ shall be present during the entire proceedings.

Part 15. All ballots and voter eligibility lists shall be locked in the ballot box immediately upon completion of all election tallying and placed by the Elections Chairperson in the custody of the Membership Secretary.

Chapter XV: By-Laws Amendment Procedure

Part 1. The By-Laws may be amended by a majority of members present at any regular or special meeting providing notice of the contemplated change has been provided to members fifteen (15) working days prior to the meeting.

Part 2. Any member in good standing may present in writing a proposed amendment to the By-Laws. This proposed amendment must be presented to the Executive Council prior to being scheduled for a membership meeting.

Part 3. If the Executive Council is proposing an amendment to the By-Laws, the amendment shall be presented at the next membership meeting following appropriate notification as specified in Chapter XV, Part 1.



Policy Statements of Education Minnesota

Local 2209 (Revised January 2009)

Statement of Fiscal Operational Policy

1. The Fiscal Year

The fiscal year of this organization ~~effective 7/1/00~~ shall be from Sept. 1 through August 31 of the following calendar year.

2. Membership Year

Members of the local are members for one fiscal year. No partial memberships are available. Members who resign, retire, or are placed on ULA are not eligible for a refund of dues. They are members until the following August 31, and are therefore eligible for all services through that date.

3. Payment of Bills

The treasurer is authorized upon receipt of an invoice, to issue checks to pay these bills, which he deems appropriate and justified. Should an invoice be deemed inappropriate or unjustified, it will be presented at the next executive meeting for authorization to pay. At each monthly executive committee meeting a monthly statement will be presented to the committee. Included in this report will be a summary of the month's checks issued and a summary of the bank account status.

4. Payment of Expense Reimbursements

It shall be the policy of Local 2209 that the treasurer be authorized to pay all bills upon receipt of a completed Expense Reimbursement form (with all receipts attached) that is properly completed and signed by the member. The local will not advance any member money. All original receipts (i.e. airfare, parking, food and hotel, and taxi for example.) where reasonable possible, shall be attached to the expense form when a member is requesting reimbursement of expenses. Our Guideline is, No Receipt – No Money. If a receipt is lost, an explanation must be provided on the expense reimbursement form. Expense reimbursement

beyond or not delineated in these policies must have approval of the executive council before disbursement. These payments will be included in the monthly summary of checks issued.

5. Appointed Office Review

All appointed offices and appointed office holders of Local 2209 will be reviewed on an annual basis. This review will take place prior to the formulation of the budget for the next fiscal year. At this time decisions as to the dissolution of the positions and/or the renewal of the appointments will be made. The executive committee will make these decisions.

6. Delegate Stipend

A stipend of \$250 will be awarded to each elected delegate who attends a national convention or R.A. This money is to cover the delegates' miscellaneous expenses, which are not to include transportation, housing or meals. Further, this stipend amount will be added to any other non-receipted monies paid to the delegate during the calendar year, and a 1099 form will be issued if required by law.

7. Political Candidates

It is stated policy of this local, not to endorse political candidates for any position in regular Local 2209 publications or Local 2209 website.

8. Member District Political Issues

It is the stated policy of this local not to take a stand on any issues pertaining to a single, specific member school district, in regular Local 2209 publications or Local 2209 websites.

9. Signatures on Checks

It shall be the policy of Local 2209 that two of three authorized signatures will appear on all checks. The three authorized signatures are those of the President, Vice President, and Treasurer.

10. Investments

It shall be the policy of Local 2209 that the President and Treasurer be authorized to invest or reinvest monies whenever it seems reasonable to do so and report this action to the general membership.

11. Payment of Dues

It shall be the policy of Local 2209 that to maintain membership in good standing payment of dues through payroll deduction shall be in effect.

12. Donations and Charitable Contributions

It shall be the policy of Local 2209 to hold membership in and/or contribute to charities and organizations, which advance the cause of public education children and members. The Local 2209 Executive Council shall review ~~and~~ any recommendations for donations and or contributions. An annual report of money spent on donations and membership shall be provided to the general membership.

13. Meal Allowances

It shall be the policy of Local 2209 to reimburse meal expenses up to the following maximum rates:

Breakfast	\$18.00
Lunch	\$25.00
Dinner	\$35.00
Special events	\$70.00

This rate will be reviewed annually by the Executive Council.

14. Attendance at Conventions, Conferences and Workshops

It shall be the policy of Local 2209 that members must submit a completed reimbursement expense form, accompanied by receipts. Individuals will only be reimbursed for actual expenses incurred. No reimbursements will be made without actual receipts. When possible, the treasurer will pay in advance the delegate's registration fees, airline tickets, and hotel deposits directly to the agencies involved. Local 2209 will pay for the room and all meals except those paid for by the sponsoring organization. Itemized extraordinary expenses will also be reimbursed with receipts attached to the expense form. Local 2209 participants are expected to attend all business sessions and when requested, to provide an oral or written report.

15. Payout of Stipends and Honorariums

It shall be the policy of Local 2209 to pay stipends and honorariums semiannually on June 1st and on December 1st. If there is a resignation in a position for which an honorarium or stipend is paid, the fee will be prorated for the time served.

16. Mileage Rate

A. It shall be the policy of Local 2209 to set the mileage rate at the current IRS rate ~~on Sept. 1st~~. Once established the reimbursable rate will be in effect until the IRS updates the new rate(s) following Aug. 31st. The reimbursable rate will not be higher than the IRS rate.

B. It shall be the policy of Local 2209 to reimburse an additional \$.10 per mile when one or more members carpool for the purposes of union business.

17. Sunshine Guidelines

The sunshine guidelines have been revised and approved by the executive council to read as follows:

A. Hospital Stays	Member (more than two days) Spouse/child	\$45.00 card
B. Extended Illness	Member (more than two weeks) Spouse/child	\$45.00 card
C. Death	Member or retired member (Flowers or memorial) Spouse, Child, Parent, Sibling	\$80.00 \$60.00
D. Birth or Adoption		card
E. Wedding		card

18. Retirements and Memorials

The Retirement Recognition guidelines have been revised and approved by the executive council to read as follows:

The retirement recognition award for members in good standing, who retire, will

be an engraved pen. Additional retirement awards for members who have provided outstanding service to the membership and/or the executive council may be proposed by special action of any member of the executive council. The proposal will then be acted upon by action of the executive council.

19. Casual Labor

The executive committee has established the policy regarding the payment for casual labor. Casual labor will be defined as work, performed for the local by one or more of the local's members, which the executive committee approves for remuneration. The established rate for Casual Labor is set at \$15.00 per hour.

20. Archivist Fees

The executive committee has established the policy regarding the payment for archivist fees. One half of the archivist fees will be made in conjunction with the stipend payments on June 1st and Dec. 1st of each calendar year. The amount will be determined in the approved budget each fiscal year.

21. Consultant Hiring

The executive committee of Local 2209 has the authority to interview and hire by contract, a consultant. This action must be approved by a majority vote of the entire executive committee. The issuance of a contract for the hiring of a consultant may occur only if the annual budget has a line of funding appropriated for each contract.

A subcommittee will prepare each consultant contract.

The subcommittee will include, at least, the President, Treasurer and one other executive officer.

The rate of pay, dates of hire and other terms of the contract including a brief job description will be included in the contract.

The consultant will be paid twice a year in the first week of June and Dec. Should the rate of pay exceed the amount set by the IRS, a 1099 form will be issued.

Upon completion of the contracted work, a final check may be issued to fulfill the obligation of the contract without regard to calendar date.

Supply costs incurred by the consultant will be reimbursed following the regular reimbursement policy of Local 2209.